

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

SAMSON TAREKE
AND
TIBLETS HABTEMICAEL

Debtors

Chapter 13

Case No. 20-11571-KHK

**OBJECTION TO CONFIRMATION OF MODIFIED PLAN,
NOTICE OF OBJECTION TO CONFIRMATION OF MODIFIED PLAN
AND
NOTICE OF SCHEDULED HEARING ON THIS OBJECTION**

Thomas P. Gorman, Chapter 13 Trustee, has filed this objection to confirmation of your Modified Chapter 13 Plan filed September 24, 2020. The cause for this objection is as follows:

Violation of 11 U.S.C. §1325(a)(4) – Liquidation Test.

- The net value of Debtors' non-exempt assets (including bank accounts and tax refunds due) would generate more for unsecured creditors in Chapter 7 than Debtors are proposing to pay.

Violation of 11 U.S.C. §1325(a)(6) – Feasibility.

- Plan is underfunded as follows:

PERFORMANCE:	Amount of Plan Payment	420.00	282.00
	Number of Months	PTD	58
		420.00	16,356.00
	Total Receipts		16,776.00
	Disbursements Required:		
	Attorney	4,934.00	
	Taxes-Other Priority	0.00	
	Secured	8,550.29	
	Unsecured	1,581.41	3% of 52,713.58
	Other – Student Loan (No Proof of Claim)	329.16	3% of 10,972.00
	Trustee	1,539.49	10%
	Total Disbursement		16,934.35

Notice of Objection To Confirmation

Samson Tareke and Tiblets Habtemicael, Case # 20-11571-KHK

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to the persons listed below.

Attend the hearing to be held on October 29, 2020 at 1:30 p.m., in Courtroom III on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314.¹ If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste, 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

¹ Pursuant to the Bankruptcy Court's Protocol in response to COVID-19 Public Health Emergency, parties appearing for hearings shall appear telephonically at the hearing through the Court's CourtSolutions program <http://www.court-solutions.com>.

Notice of Objection To Confirmation

Samson Tareke and Tiblets Habtemicael, Case # 20-11571-KHK

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: _October 9, 2020_____

___/s/Thomas P. Gorman_____

Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 9th day of October, 2020, served via ECF to authorized users or mailed a true copy of the foregoing Objection to Confirmation, Notice of Objection and Notice of Hearing to the following parties.

Samson Tareke
Tiblets Habtemicael
Chapter 13 Debtors
1960 Heatherbrook Court
Woodbridge, VA 22192

John C. Morgan, Jr., Esquire
Attorney for Debtor
New Day Legal, PLLC
98 Alexandria Pike, Ste. 10
Warrenton, VA 20186

___/s/ Thomas P. Gorman_____
Thomas P. Gorman